

1 ROB BONTA  
Attorney General of California  
2 DAVID A. ZONANA  
Supervising Deputy Attorney General  
3 SOMERSET PERRY, SBN 293316  
HEATHER M. LEWIS, SBN 291933  
4 Deputy Attorneys General  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 879-1008  
Fax: (510) 662-2270  
7 E-mail: Somerset.Perry@doj.ca.gov  
E-mail: Heather.Lewis@doj.ca.gov  
8 *Attorneys for Plaintiffs*

9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
12  
13

14 **CALIFORNIA DEPARTMENT OF  
TOXIC SUBSTANCES CONTROL  
15 and the TOXIC SUBSTANCES  
CONTROL ACCOUNT,**

16  
17 Plaintiffs,

18 v.

19 **ROBERT C. FROJEN AND  
COLLEEN FROJEN TRUST,  
20 COLLEEN FROJEN, individually  
and as trustee on behalf of the  
21 ROBERT C. FROJEN AND  
COLLEEN FROJEN TRUST,  
22 ROBERT WINTERS, an individual,  
and PCA METAL FINISHING, INC.,  
23 a dissolved California corporation,**

24 Defendants.  
25  
26  
27  
28

Case No. 8:22-cv-01272 DSF (KESx)

**NOTICE OF UNOPPOSED  
MOTION FOR JUDICIAL  
APPROVAL OF CONSENT  
DECREE**

Date: November 14, 2022  
Time: 1:30 p.m.  
Courtroom: 7D, 7th Floor  
Judge: Hon. Dale S. Fischer

**TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

Please take notice that at 1:30 p.m. on November 14, 2022, or as soon thereafter as this matter may be heard, Plaintiffs the California Department of Toxic Substances Control and the Toxic Substances Control Account will and hereby do move for an order of this Court approving the proposed Consent Decree between Plaintiffs and Defendants Robert C. Frojen and Colleen Frojen Trust, Colleen Frojen, individually and as trustee on behalf of the Robert C. Frojen and Colleen Frojen Trust, Robert Winters, an individual, and PCA Metal Finishing, Inc., a dissolved California corporation.

This proposed Consent Decree was lodged with this Court on July 21, 2022. Plaintiffs seek entry of this consent decree on the grounds that it is reasonable, fair, and consistent with the purposes that the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675, is intended to serve. The proposed Consent Decree requires each Settling Defendant to pay a portion of Plaintiffs' response costs incurred at the Site.

This motion is made following the conference of counsel pursuant to Local Rule 7.3, which took place on October 14, 2022. At the conference of counsel, counsel for Defendants informed counsel for Plaintiffs that Defendants do not oppose this motion.

This Motion will be based on this Notice, the Memorandum of Points and Authorities, the Declarations of Farah Itani and Christopher Kane, filed concurrently herewith, and such other papers and argument as may be presented to the Court.

1 Dated: October 17, 2022

Respectfully submitted,

2 ROB BONTA  
3 Attorney General of California  
4 DAVID A. ZONANA  
5 Supervising Deputy Attorney General

*/s/ Heather M. Lewis*

6 HEATHER M. LEWIS  
7 SOMERSET PERRY  
8 Deputy Attorneys General  
9 *Attorneys for Plaintiffs*  
10 *California Department of Toxic*  
11 *Substances Control and the Toxic*  
12 *Substances Control Account*  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28